

# **Town Board Minutes**

## **Meeting No. 19**

### ***Regular Meeting***

**June 16, 1997**

MEETINGS TO DATE 19  
NO. OF REGULARS 12  
NO. OF SPECIALS 7

Page 429  
LANCASTER, NEW YORK  
JUNE 16, 1997

**PRESENT:** DONALD KWAK, COUNCIL MEMBER  
JOHN MILLER, COUNCIL MEMBER  
MARK MONTOUR, COUNCIL MEMBER  
DONNA STEMPIAK, COUNCIL MEMBER  
ROBERT GIZA, SUPERVISOR

**ABSENT:** NONE

**ALSO PRESENT:** ROBERT THILL, TOWN CLERK  
ROBERT LABENSKI, TOWN ENGINEER  
RICHARD SHERWOOD, TOWN ATTORNEY  
ROBERT LANEY, BUILDING INSPECTOR  
THOMAS FOWLER, CHIEF OF POLICE  
JOHANNA COLEMAN, RECEIVER OF TAXES  
CHRISTINE FUSCO, ASSESSOR

**PERSONS ADDRESSING THE TOWN BOARD:**

**Bielman, Jack**, 62 Brady Avenue, spoke to the Town Board on the following matter:  
Expressed concerns about the development of Lancaster.

**Brett, James**, 590 Harris Hill Road, spoke to the Town Board on the following matter:  
Asked questions about AHEPA #91 Project.

**Dale, David**, 5121 William Street, spoke to the Town Board on the following matter:  
Complained of illegal signs advertising Burke Homes off William Street.

**Sherry, Tim**, 62 Rehm Road, spoke to the Town Board on the following matter:  
Picketing on the streets within Hillside Subdivision.

**Di Giacomo, Jerry**, 15 Hillside Pkwy, spoke to the Town Board on the following matter:  
Picketing on the streets within Hillside Subdivision.

**Gull, Henry**, 710 Pavement Road, spoke to the Town Board on the following matters:  
1. Rats at the Tops Distribution Warehouse.  
2. Lumpers working at The Tops Site.

**Heckle, Robert**, 706 Pavement Road, spoke to the Town Board on the following matter:  
Asked for a check of the timing of the signal at Genesee Street and  
Gunnville Road.

**Kubicki, Gloria**, 15 Maple Drive, spoke to the Town Board on the following matter:  
Enforcing provisional rezones that have a time expiration.

**Schneggenburger, Roy**, 87 Stony Road, spoke to the Town Board on the following matters:  
1. Asked questions about prefiled resolutions numbers 5, 6 13 and 20.  
2. Picketing on the streets within Hillside Subdivision.

**Sherlein, Jack**, 5 Alyssum Court, spoke to the Town Board on the following matter:  
Read a prepared statement containing various questions about the  
AHEPA #91 Inc. Senior Citizen Project.

**Tworek, Hank**, 8 Primrose Lane, spoke to the Town Board on the following matter: Page 430  
Urged the Town Board to deny the AHEPA #91 Project.

**Zafirakis, Gregory**, 5428 Genesee Street, spoke to the Town Board on the following matter:  
Spoke in favor of the AHEPA #91 Project.

**Workman, Theresa**, 10 Alyssum Court, spoke to the Town Board on the following matter:  
Urged a negative vote on the AHEPA #91 Inc Senior Citizen Housing Project.

**Giacalone, Arthur**, Attorney for Northwest Lancaster Homeowners Association, spoke to the Town Board on the following matter:  
Urged the Town Board to delay their decision on the AHEPA #91 Inc Senior Housing Project until the Zoning Board of Appeals has made a decision on any necessary variances.

**Bauer, Carmen**, 4048 Walden Avenue, spoke to the Town Board on the following matter:  
Urged the Town Board to approve the AHEPA #91 Inc Senior Housing Project.

**Konst, Harry**, Attorney for AHEPA, spoke to the Town Board on the following matter:  
Answered various questions for the Board Members concerning the AHEPA #91 Inc Senior Housing Project.

**Vinolis, Peter**, Attorney for AHEPA, spoke to the Town Board on the following matter:  
Answered various questions for the Board Members concerning the AHEPA #91 Inc Senior Housing Project.

**Sherlein, Shirley**, 5 Alyssum Court, spoke to the Town Board on the following matter:  
Urged a negative vote on the AHEPA #91 Inc Senior Housing Project.

**Ismael, Silva**, 1 Caladium Court, spoke to the Town Board on the following matter:  
Urged a negative vote on the AHEPA #91 Inc Senior Housing Project.

**Stallone, Rose Ann**, 1 Primrose Lane, spoke to the Town Board on the following matter:  
Urged a negative vote on the AHEPA #91 Inc Senior Housing Project.

**Loche, Cheryl**, 2 Primrose Lane, spoke to the Town Board on the following matter:  
Urged a negative vote on the AHEPA #91 Inc Senior Housing Project.

**PUBLIC HEARING SCHEDULED FOR 8:45 P.M.:**

At 8:55 P.M., the Town Board held a Public Hearing to hear all interested persons upon a proposed amendment to Section 50-24, Light Industrial District, (B) Permitted Uses (1) Principal structures and uses of Chapter 50, Zoning of the Code of the Town of Lancaster.

Affidavits of Publication and Posting of a Notice of a Public Hearing were presented and ordered placed on file.

**PROPOSERS**

None

**OPPOSERS**

None

**COMMENTS & QUESTIONS**

None

ON MOTION BY COUNCIL MEMBER MILLER, AND SECONDED BY COUNCIL MEMBER MONTGOMERY AND CARRIED, by unanimous voice vote, the Public Hearing was closed at 9:00 P.M.

**PRESENTATION OF PREFILED RESOLUTIONS BY COUNCIL MEMBERS:**

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCIL MEMBER KWAK, WHO MOVED  
ITS ADOPTION, SECONDED BY COUNCIL  
MEMBER MONTOUR TO WIT:

**RESOLVED**, that the minutes from the Joint Meeting of the Town Board and  
the Planning Board held on June 2, 1997, and the Regular Meeting of the Town Board held  
on June 2, 1997, be and are hereby approved.

The question of the adoption of the foregoing resolution was duly put to a vote  
on roll call which resulted as follows:

COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER MILLER	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

June 16, 1997

File: RMIN (P3)

THE FOLLOWING RESOLUTION WAS OFFERED  
 BY SUPERVISOR GIZA, WHO MOVED ITS  
 ADOPTION, SECONDED BY COUNCIL  
 MEMBER MILLER, TO WIT:

WHEREAS, the Director of Administration and Finance, by memorandum dated May 30, 1997, has outlined the need for various adjustments to the 1997 adopted budget of the Town of Lancaster,

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the following line item transfers be and are hereby approved in the 1997 adopted budget of the Town of Lancaster:

**General Fund:**

	<u>Decrease</u>	<u>Increase</u>
A1310.100 Director of Admin. & Finance - Salaries	\$3,845.00	
A1620.426 Buildings Maintenance - Repairs and Main.	1,400.00	
A1990.411 Contingency Account	8,716.00	
A1330.102 Receiver of Taxes, Wages, Overtime		670.00
A1430.410 Personnel - Professional Services		1,010.00
A1440.220 Engineer, Passenger vehicles		3,950.00
A1620.210 Buildings Maintenance - Equipment		1,400.00
A5010.100 Supt. of Highways - Salaries, Highway Maintenance Clerk		1,431.00
A7110.220 Parks - Passenger Vehicles		5,200.00
A7510.426 Historian - Repairs and Maintenance		120.00
A7510.446 Historian - Photo Supplies		180.00
<b>General Fund Totals:</b>	<b>\$13,961.00</b>	<b>\$13,961.00</b>

**General Fund - Town Outside Village:**

B1990.411 Contingency Account	\$7,300.00	
B3620.220 Building Inspection - Passenger Vehicles		\$7,300.00
<b>General Fund - Town Outside Villages Fund Totals:</b>	<b>\$7,300.00</b>	<b>\$7,300.00</b>

The question of the adoption of the following resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER MILLER	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

June 16, 1997

THE FOLLOWING RESOLUTION WAS OFFERED  
COUNCIL MEMBER KWAK, WHO MOVED ITS  
ITS ADOPTION, SECONDED BY COUNCIL  
MEMBER MONTOUR, TO WIT:

**WHEREAS**, Conbow's Lancaster Lanes, Inc., has applied for a license to operate and maintain a Game Room on premises located at 4913 Transit Road, within the Town of Lancaster, pursuant to Chapter 17 of the Code of the Town of Lancaster, and

**WHEREAS**, the application was referred to the Building Inspector and Chief of Police for review and recommendation, and

**WHEREAS**, the Building Inspector and Chief of Police have completed their review and made a formal, favorable recommendation to the Town Board on the issuance of this license,

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Town Clerk be and is hereby authorized to issue a license to Conbow's Lancaster Lanes, Inc. to operate and maintain a Game Room on premises located at 4913 Transit Road, Lancaster, New York, and

**BE IT FURTHER**

**RESOLVED**, that said license shall be issued for the **one (1) year** period of **July 6, 1997 to July 6, 1998** in accordance with the application of the petitioner, as filed in the Town Clerk's Office, accompanied with a license fee of \$840.00 for eight (8) amusement devices.

The question of the adoption of the following resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER MILLER	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

June 16, 1997

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCIL MEMBER KWAK, WHO MOVED  
ITS ADOPTION, SECONDED BY COUNCIL  
MEMBER MILLER, TO WIT:

**WHEREAS**, Gelert Development Corp., 5360 Genesee Street, Bowmansville,  
New York, has applied to the Town Board of the Town of Lancaster for a permit to construct a  
Public Improvement upon real property in the Town of Lancaster within Lancaster Industrial  
Commerce Center, and

**WHEREAS**, the Town Engineer of the Town of Lancaster has certified  
on the following permit application that he has reviewed the improvement plans and permit  
application for the installation of the public improvement requested, and that it conforms to the  
Ordinances of the Town of Lancaster,

**NOW, THEREFORE, BE IT**

**RESOLVED**, that Public Improvement Permit Application No. 471 of Gelert  
Development Corp., 5360 Genesee Street, Bowmansville, New York, for the installation of:

P.I.P. No. 471 - Construction of Lancaster Ind. Commerce Center (0+20 - 21+  
(Water Line) 50) 2,130± L.F. 10" PVC water line pipe, 2 ea. 12 line valves,  
3 ea. 10" line valves, 4 ea. hydrant/valve assemblies.

be and is hereby approved.

The question of the adoption of the foregoing resolution was duly put to a  
vote on roll call which resulted as follows:

COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER MILLER	VOTED YES
COUNCIL MEMBER MONTGOMERY	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

June 16, 1997

File: RPIP (P8)

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCIL MEMBER KWAK , WHO  
MOVED ITS ADOPTION. SECONDED BY  
COUNCIL MEMBER MILLER , TO WIT:

**WHEREAS,** AHEPA 91, INC., has submitted a Revised Site Plan dated May 23, 1997, for the construction of Senior Apartments located on Primrose Lane in the Town of Lancaster, and

**WHEREAS,** the Planning Board has reviewed the plan, and at its meeting of May 21, 1997, recommended denial, and

**WHEREAS,** the Town Board of the Town of Lancaster has reviewed the recommendation of the Planning Board and has determined it to be in the public interest to approve said site plan;

**NOW, THEREFORE, BE IT**

**RESOLVED,** that the Town Board of the Town of Lancaster hereby approves the Site Plan submitted by **AHEPA 91, INC.** for the construction of Senior Apartments on property located on Primrose Lane in the Town of Lancaster with revised plans prepared May 23, 1997 by Zausmer-Frisch Associates, Inc., subject to the following conditions:

1. The issuance of a permit from New York State Department of Environmental Conservation (DEC) for disturbance of any DEC determined wetland area on site;
2. Final landscaping approval by the Town Board of the Town of Lancaster;
3. Conveyance in fee or easement to the Town of Lancaster of an area for use as a turnaround and snow depository for all municipal or school district vehicles at the east terminus of Primrose Lane as shown on the site plan and extended to the south to a point eighty (80) feet from the center line of Primrose Lane;
4. The turnaround area to be paved as shown on the site plan and including the extended area to a point eighty (80) feet south of the center line of Primrose Lane;
5. Written verification from Pratt & Huth that the on site detention area was designed to accommodate water drainage from this parcel as developed;
6. Placement of a berm at least six (6) feet in height on the north and west side of the property as shown on the site plan, together with plantings of trees thereon as approved by the Town Board;
7. AHEPA 91, Inc. to provide a written affirmation to the Town that van service shall be made available to the residents as part of the management of the project;



8. Subject to the applicant obtaining all necessary variances from the strict application of the Zoning Code of the Town of Lancaster from the Zoning Board of Appeals of the Town of Lancaster.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER MILLER	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

June 16, 1997

File: rsitahpa

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCIL MEMBER KWAK, WHO MOVED  
ITS ADOPTION, SECONDED BY COUNCIL  
MEMBER MONTOUR, TO WIT:

**WHEREAS**, Edward Kozlowski, 542 Aurora Street, Lancaster, New York 14086, has applied for a Dumping Permit for property situated at 473 Aurora Street, within the Town of Lancaster, pursuant to Chapter 22-8 of the Code of the Town of Lancaster, and

**WHEREAS**, the application was referred to the Building Inspector and Town Engineer for review and recommendation, and

**WHEREAS**, the Building Inspector and Town Engineer have completed their review and made a formal, favorable recommendation to the Town Board.

**NOW, THEREFORE, BE IT**

**RESOLVED**, that Edward Kozlowski, 542 Aurora Street, Lancaster, New York 14086 be and is hereby authorized to dump and dispose of materials outside permitted sanitary landfills within the Town of Lancaster, namely on premises owned by the applicant at 473 Aurora Street, Lancaster, New York 14086, said dumping to be in strict conformance with the application of the petitioner as filed in the Office of the Town Clerk, and,

**BE IT FURTHER**

**RESOLVED**, that **this permit is conditioned** in accordance with the recommendations of the Town Engineer and Building Inspector as follows:

1. Fill shall consist of hard clay, stones, or broken concrete. No building demolition material such as wood, asphalt shingles, asbestos tiles, etc. are permitted.
2. The applicant shall also be aware that if he intends to build on any filled area, bore samples along with a structural engineer's report will be required prior to the issuance of a building permit.
3. Height of fill shall be limited to existing grade.
4. Filled area to be top soiled, seeded, and graded upon completion.
5. Access to the site shall be controlled to prevent unauthorized dumping of non-permitted material.
6. Mud from truck tires shall be cleaned off the road at the completion of operations for that day and more frequently if deemed necessary.
7. The north/east side of detention pond where erosion has occurred must be repaired per Town Engineer's specifications.

8. The ditch that Kissel cut into existing detention pond must be repaired to Town Engineer's specifications.
9. Pond water must be pumped prior to filling.

and.

**BE IT FURTHER**

**RESOLVED**, that no building permit for the construction of any structure on the SBL premises upon which this dumping permit is issued shall be approved by the Town Building Inspector until such time as the Building Inspector certifies in writing to the Town Board that the conditions enumerated in this resolution have been fully complied with, and

**BE IT FURTHER**

**RESOLVED**, that pursuant to Chapter 22-8(D)(6) of the Code of the Town of Lancaster the permit authorization granted herein **expires one year from date of this resolution.**

The question of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER MILLER	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

June 16, 1997

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCIL MEMBER KWAK, WHO MOVED  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER MONTOUR, TO WIT:

**WHEREAS**, the Twin District Volunteer Fire Company, Inc., by letter  
dated June 9, 1997, has requested the addition of a two members to the active roster of said fire  
association.

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Town Board of the Town of Lancaster hereby confirms the  
additions to the membership of the Twin District Volunteer Fire Company, Inc. of the following  
individuals:

**ADDITIONS**

Michael J. Tuberdyke  
44 Old Post Road  
Lancaster, New York 14086

Thomas R. Tamulski  
599 Lake Avenue  
Lancaster, New York 14086

The question of the adoption of the foregoing resolution was duly  
put to a vote on roll call which resulted as follows:

COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER MILLER	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

June 16, 1997

File: RFIRE (P4)

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCIL MEMBER MILLER, WHO MOVED  
ITS ADOPTION,                      SECONDED BY  
COUNCIL MEMBER KWAK              , TO WIT:

RESOLUTION OF THE TOWN OF LANCASTER, NEW YORK,  
ADOPTED JUNE 16, 1997, CALLING A PUBLIC HEARING TO  
APPROVE THE ISSUANCE OF A TAX-EXEMPT OBLIGATION BY  
THE TWIN DISTRICT VOLUNTEER FIRE COMPANY, INC.,  
AND DETERMINING OTHER MATTERS IN CONNECTION  
THEREWITH.

Recitals

WHEREAS, the Twin District Volunteer Fire Company,  
Inc., a New York not-for-profit corporation (the "Fire Company"),  
proposes to construct an addition to, and partially reconstruct,  
the fire house used by the Fire Company in connection with  
fighting fires in the Town of Lancaster, New York, (the "Town");  
and

WHEREAS, pursuant to the written fire protection  
agreement entered in to between the Fire Company and the Town  
Board of the Town acting on behalf of the Fire Protection  
District (the "District"), in the Town, the Fire Company is  
obligated to provide firefighting or emergency medical services  
for persons within the District and such other portions of the  
Town as may be mutually agreed to as specified in such agreement  
as the same may be renewed or extended from time to time and no  
other firefighting services are provided to said District, and  
therefore, the Fire Company is a "qualified volunteer fire  
department" for purposes of Section 150(e) of the Internal  
Revenue Code of 1986, as amended (the "Code"); and

WHEREAS, said Fire Company proposes to finance the Project by the issuance of a tax-exempt obligation in the amount of \$500,000 to Manufacturers and Traders Trust Company pursuant to the provisions of Section 150(e) of the Code; and

WHEREAS, pursuant to Section 147(f) of the Code, approval of the issuance of such obligation is required to be given by the applicable elected representative of the governmental unit on behalf of which such obligation is issued and the governmental unit within which the Project is to be located, after a public hearing following reasonable public notice; and

WHEREAS, pursuant to Section 147(f)(4)(B) of the Code, the Town is treated as the governmental unit on behalf of which such obligation is issued and is also the governmental unit within which the Project is to be located;

Now, therefore, be it

RESOLVED BY THE TOWN BOARD OF THE TOWN OF LANCASTER, N THE COUNTY OF ERIE, NEW YORK, AS FOLLOWS:

Section 1. The Town Board of the Town shall hold a public hearing at 8:30 o'clock P.M. (Prevailing Time) on July 7, 1997, at the Town Hall, 21 Central Avenue, Lancaster, New York, to discuss the proposed plan of financing for the construction of an addition to, and the partial reconstruction of, the fire house used by the Fire Company in connection with fighting fires in the Town of Lancaster, New York, as hereinabove described in the Recitals of this Resolution.

Section 2. The Town Clerk is hereby authorized and directed to give notice of such public hearing by publishing, at least fourteen (14) days prior to the date of such public hearing, in the "LANCASTER BEE", a newspaper having a general circulation in the Town, a Notice in substantially the form as hereinafter described:

NOTICE OF PUBLIC HEARING  
THE TOWN OF LANCASTER,  
IN THE COUNTY OF ERIE,  
NEW YORK  
JULY 7, 1997

The Town of Lancaster (the "Town"), in the County of Erie, New York, will hold a public hearing at 8:30 o'clock P.M. (Prevailing Time) on July 7, 1997 at the Town Hall, 21 Central Avenue, Lancaster, New York, to discuss the proposed plan of financing for the construction of an addition to, and the partial reconstruction of, the fire house used by the Fire Company to house its firefighting vehicles in the Town of Lancaster, New York, (the "Project") as more particularly described below, by the Twin District Volunteer Fire Company, Inc., a New York not-for-profit corporation (the "Fire Company"). As part of the proposed plan of financing for the project, the Fire Company proposes to issue a tax-exempt obligation to Manufacturers and Traders Trust Company pursuant to the Internal Revenue Code of 1986, as amended (the "Code") and to use the proceeds of the obligation to provide funds for the construction of the Project. The obligation will be a general obligation of the Fire Company payable from the Fire Company's general revenues.

The Project will be owned by the Fire Company, a "qualified volunteer fire company" within the meaning of Section 150 (e) of the Code. The Project is located on property owned by the Fire Company situate at 4999 William Street, in the Town of Lancaster, Erie County, New York. The amount of the obligation to be issued pursuant to the plan of financing is not to exceed



\$500,000. The Project consists of the construction of an addition to, and partial reconstruction of, the fire house used by the Fire Company in connection with fighting fires in the Town of Lancaster, New York.

At the hearing, members of the public may appear in person or by attorney to give information or to make statements concerning the Project.

Handicapped persons who require assistance in attending said public hearing, or in furnishing comments and suggestions, should contact the undersigned to request such assistance.

This notice is published in accordance with the public notice requirements of the Tax Equity and Fiscal Responsibility Act of 1982.

DATED: June 16, 1997

TOWN OF LANCASTER, NEW YORK  
Robert H. Giza  
Supervisor

Section 3. The Supervisor is hereby authorized to approve the plan of financing for such Project after said public hearing is duly called and held by delivering to the Fire Company an executed copy of an Approval Certificate in substantially the form as hereinafter said forth:

APPROVAL OF THE SUPERVISOR OF THE  
TOWN OF LANCASTER, NEW YORK,  
FOR THE ISSUANCE OF A TAX-EXEMPT OBLIGATION  
BY THE TWIN DISTRICT VOLUNTEER FIRE COMPANY, INC.

WHEREAS, the Twin District Volunteer Fire Company, Inc., (the "Fire Company"), intends to issue the obligation described in the schedule herein set forth below (the "Schedule") to provide for the construction of the project (the "Project") identified and described in the Schedule; and

WHEREAS, pursuant to Section 147 (f) of the Internal Revenue Code of 1986, as amended (the "Code"), approval of the issuance of such obligation is required to be given by the applicable elected representative of the governmental unit on behalf of which such obligation is issued and the governmental unit within which the Project is located, after a public hearing following reasonable public notice; and

WHEREAS, pursuant to Section 147(f)(4)(B) of the Code, the Town of Lancaster, (the "Town") in the County of Erie, New York, is treated as the governmental unit on behalf of which such obligation is issued and is also the governmental unit within which the Project is located; and

WHEREAS, the undersigned is the applicable elected official of the Town, within the meaning of Section 147(f) of the Code, authorized to approve the issuance of such obligation for the Project in the amount not to exceed the amount set forth in the Schedule;

NOW, THEREFORE, a public hearing on the proposed financing having been duly conducted, a report of such hearing having been duly made, appropriate findings and any appropriate certification or determination of project need having been provided, the issuance of the obligation to finance the Project described in the Schedule is hereby approved.

SCHEDULE

AMOUNT OF  
OBLIGATIONS: Not to exceed \$500,000

PROJECT AND  
DESCRIPTION: construction of an addition to, and partial reconstruction of, the fire house used by the Fire Company in connection with fighting fires in the Town of Lancaster, New York

Pursuant to applicable New York State law, the Fire Company will issue a tax-exempt obligation to Manufacturers and Traders Trust Company and use the proceeds to finance the reconstruction of the Fire Station used by the Fire Company in connection with fighting fires in the Town of Lancaster, New York, as hereinabove described (the "Project"). The obligation will be a general obligation of the Fire Company payable from the Fire Company's general revenues. The Project will be owned by the Fire Company and it will be located at the Twin District Volunteer Fire Company Firehouse, in the Town of Lancaster, New York.

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Robert H. Giza  
Supervisor, Town of Lancaster

Dated: \_\_\_\_\_, 1997

**Section 4. This resolution shall take effect immediately.**

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER KWAK	VOTED	YES
COUNCIL MEMBER MILLER	VOTED	YES
COUNCIL MEMBER MONTOUR	VOTED	YES
COUNCIL MEMBER STEMPNIAK	VOTED	YES
SUPERVISOR GIZA	VOTED	YES

June 16, 1997

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCIL MEMBER MONTOUR, WHO  
MOVED ITS ADOPTION. SECONDED BY  
COUNCIL MEMBER MILLER, TO WIT:

**WHEREAS**, the Town Board of the Town of Lancaster deems it in the public interest to allow the abandonment of the town's interest in that portion of Siebert Road, a paper street running southerly from the southerly boundary of Brunck Road in the Town of Lancaster to its terminus at the boundary of the Town of Elma, since this paper street has never been opened or worked;

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Town Board of the Town of Lancaster, pursuant to the authority in §205 Highway Law, hereby authorizes the Highway Superintendent of the Town of Lancaster to record in the Town Clerk's Office a written description of that portion of Siebert Road which is a paper street, signed by the Highway Superintendent and the Town Board indicating the abandonment of the town's interest in this paper street which has never been opened to the public.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER MILLER	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

June 16, 1997

File:rhwyabnd

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCIL MEMBER MILLER , WHO MOVED  
ITS ADOPTION,                      SECONDED BY  
COUNCIL MEMBER STEMPIAK              , TO WIT:

**WHEREAS**, the Town Board of the Town of Lancaster has heretofore retained Hayden Wegman, Consulting Engineers, to prepare plans and specifications and provide engineering services for Water System Improvements Construction of Phase II - Pleasant View Drive, Transit Road, Genesee Street and Main Street, Bowmansville in the said Town, and

**WHEREAS**, plans and specifications have been filed with the Town Clerk, and

**WHEREAS**, the Town Board of the Town of Lancaster, after review of the plans and specifications, desires to advertise for public bids pursuant to the requirements of Section 103 of the General Municipal Law;

**NOW, THEREFORE, BE IT**

**RESOLVED**, that Sealed Bids for Water System Improvements Construction of Phase II, Pleasant View Drive, Transit Road, Genesee Street and Main Street, Bowmansville, in the Town of Lancaster, will be received by the Town Clerk or his designee at his office in the Town Hall, 21 Central Avenue, Lancaster, New York 14086 at 10:00 A.M. Local Time, on the 10th day of July, 1997, and that a Notice to Bidders shall be published in the Lancaster Bee on June 19th, 1997, which Notice shall be in the form attached hereto and made a part hereof.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER MILLER	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

June 16, 1997

File: rmbdwtr2

**NOTICE TO BIDDERS  
FOR THE  
TOWN OF LANCASTER**

**WATER SYSTEM IMPROVEMENTS  
CONSTRUCTION OF PHASE II  
PLEASANTVIEW DRIVE - TRANSIT ROAD  
GENESEE STREET - MAIN STREET**

Sealed bids for the construction of replacement watermains for the above mentioned location in the Town of Lancaster will be received from Bidders by the Town Clerk or his designee at his office at 21 Central Avenue, Lancaster, New York on or before 10:00 A.M. local time on the 10th of July, 1997 at which time they will be publicly opened and read aloud in the Council Chambers, 21 Central Avenue, Lancaster, New York. Plans and Specifications may be obtained or examined at the office of the Town's Engineering Consultant, Hayden/Wegman, Consulting Engineers, Inc. at 455 Commerce Drive, Amherst, New York between the hours of 8:30 A.M. and 4:30 P.M. from June 19, 1997 to July 10th, 1997 except Saturdays, Sundays, and Holidays.

A deposit of \$100.00 per set is required (two (2) checks of \$50.00 each payable to Hayden/Wegman, Consulting Engineers, Inc.). Bidders will receive a refund of the entire deposit upon returning plans and specifications in good condition within thirty (30) days of the Bid Opening. Non-Bidders will be refunded one-half of the deposit upon the return of such plans and specifications in good condition within thirty (30) days of the Award of the Contract.

Proposals shall be made and received upon the following conditions:

Each Proposal must be accompanied by a certified check, payable to the Town of Lancaster, for a sum equal to five percentum (5%) of the total amount of the Bid, or a bond with sufficient sureties in a penal sum equal to five percentum (5%) of such total Bid amount, conditioned that if the Bid is accepted, the successful bidder will enter into a Contract for the Work, and that he will execute within fifteen (15) days from the date of the acceptance of the Proposal, a suitable security bond in the amount of the Contract, conditioned for the faithful and prompt performance and completion of the Work specified in the Contract.

All deposits except that of the successful Bidder will be returned. A completed Non-collusive Bidders Certificate must accompany all Bids.

Upon acceptance of his Bid, if the successful Bidder fails to enter into a contract pursuant to the requirements of the Contract Documents, or fails to give the further security prescribed in this notice, with the same time limited therein, then the check deposited as aforesaid and the moneys standing to the credit of the same, shall be forfeited to the Town as liquidated damages, or the payment of the Bond enforced for the benefit of the Town. The Town of Lancaster reserves the right to waive informalities in or to reject any and all Bids.

**Consulting Engineers:**  
Hayden/Wegman, Consulting Engineers  
455 Commerce Drive  
Amherst, New York 14228  
(716) 691-4713

By Order of the Town Board of the Town  
of Lancaster, Erie County, New York  
Robert P. Thill  
Town Clerk

Date of advertisement: June 19, 1997



**PREFILED RESOLUTION NO. 11 - MEETING OF 6/16/97**

11. Stempniak/\_\_\_\_\_ Amend Zoning Ordinance Re: Text Change Chapter 50-24  
Permitted Uses [Zoning Ordinance Text Change]

The request of Council Member Stempniak, this resolution was withdrawn for  
further study.

THE FOLLOWING RESOLUTION WAS OFFERED  
BY SUPERVISOR GIZA , WHO MOVED  
ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER STEMPIAK , TO WIT:

**WHEREAS**, the Town Board has sought proposals from consulting engineering firms to provide services to the Town on an as needed basis, and

**WHEREAS**, the Town has received and reviewed several proposals in this regard, and

**WHEREAS**, the Town Board deems it in the public interest to accept proposals setting forth professional services which shall be available to the Town when deemed necessary by the Town Board;

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Town Board of the Town of Lancaster hereby accepts the proposals for future engagement for professional services to be rendered when deemed necessary by the Town Board for the following engineering firms:

Donald Gallo, Consulting Engr., P.C.  
589 Delaware Avenue  
Buffalo, New York 14202

Nussbaumer & Clarke, Inc.  
3556 Lake Shore Road  
Buffalo, New York 14219-1494

Krehbiel Associates  
1870 Niagara Falls Boulevard  
Tonawanda, New York 14150-6424

Wm. Schutt & Associates, P.C.  
5360 Genesee Street  
P.O. Box 46  
Bowmansville, New York 14026-0046

A/E Group, Inc.  
Consulting Engineers, P.C  
403 Main Street, Suite 700  
Buffalo, New York 14203

Clough, Harbour & Associates LLP  
40 LaRiviere Drive  
Buffalo, New York 14202

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER MILLER	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

June 16, 1997

File: rengsrv

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCIL MEMBER STEMPNIAK, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER MILLER, TO WIT:

**WHEREAS, Schmitt's Garage** has submitted a Site Plan received May 13, 1997  
for a used car lot on property located on the southeast corner of Genesee Street and Home  
Road, Bowmansville, in the Town of Lancaster, and

**WHEREAS,** the Planning Board has reviewed the plan, and at its meeting of June  
4, 1997, recommended approval, and

**WHEREAS,** a SEQR review was held on this project on March 17, 1997 and a  
Negative Declaration was issued at that time;

**NOW, THEREFORE, BE IT**

**RESOLVED,** that the Town Board of the Town of Lancaster hereby approves the  
Site Plan submitted by **Schmitt's Garage** for construction of a used car lot on property located  
on the southeast corner of Genesee Street and Home Road, Bowmansville, in the Town of  
Lancaster, with plan received May 13, 1997, subject to the following conditions:

- (1) Landscaping islands with ground cover to be provided  
at corner of Genesee Street and Home Road, and at  
Genesee Street and parking lot entrance;
- (2) Small trees be added on Home Road;
- (3) Landscaping changes in (1) and (2) above, be reviewed  
and approved by the Town Board; and
- (4) Curb blocks be installed in parking lot to prevent cars  
from extending over or parking on grass.

The question of the adoption of the foregoing resolution was duly put to a vote on  
roll call, which resulted as follows:

COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER MILLER	VOTED YES
COUNCIL MEMBER MONTGOMERY	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

June 16, 1997

File: rasite.697

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCIL MEMBER KWAK. WHO MOVED  
ITS ADOPTION. SECONDED BY COUNCIL  
MEMBER STEMPNIAK , TO WIT:

**WHEREAS**, Andrew Romanowski, 4727 Camp Road, Hamburg, New York 14057, has applied to the Town Board of the Town of Lancaster for permits to construct Public Improvements upon real property in the Town of Lancaster for Stony Brook Townhomes, and .

**WHEREAS**, the Town Engineer of the Town of Lancaster has certified on the following permit applications that he has reviewed the improvement plans and permit applications for the installation of the public improvements requested, and that they conform to the Ordinances of the Town of Lancaster,

**NOW, THEREFORE, BE IT**

**RESOLVED**, that Public Improvement Permit Applications Nos. 472, 473 and 474 of Andrew Romanowski, 4727 Camp Road, Hamburg, New York 14057, for the installation of:

- |  |   |
|--|---|
| P.I.P. No. 472 -<br>(Pavement & Curbs) | Construct approximately 1860 l.f. of concrete curb and 6" underdrain per Town of Lancaster specifications. Also, install approximately 25920 SF paving using 8" stone base, 4" DOT Type 1 BSE, 2" DOT Type 3 Binder and 1" NYSDOT Type 7 TOP. |
| P.I.P. No. 473 -<br>(Water Line)       | Install approximately 910 ft. 8" PVC C-900 water line including (2) hydrants and (1) 2" blowoff valve.  |
| P.I.P. No. 474 -                       | Install storm sewers as follows: 105 ft. DPVC 6", 420' 12" HDPE, 52' 12" RCP, 54' 15" HDPE, 7 road receivers and (3) 4' manholes  |

be and are hereby approved.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER MILLER	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

June 16, 1997

File: RPIP (199)

THE FOLLOWING RESOLUTION WAS OFFERED  
 BY SUPERVISOR GIZA, WHO MOVED  
 ITS ADOPTION, SECONDED BY COUNCIL  
 MEMBER MONTOUR, TO WIT:

**WHEREAS**, the Executive Director of the Youth Bureau, by letter dated June 11, 1997, has recommended appointments for the Youth Bureau's 1997 Summer Tutorial Program.

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the following individuals be and are hereby appointed to positions of Tutor in the Youth Bureau's 1997 Summer Tutorial Program of the Town of Lancaster at the following rates as specified in the 1997 Budget of the Town of Lancaster::

<u>Name</u>	<u>Position</u>	<u>Rate</u>
Kim Pesany-Au 4 Stone Hedge Drive Lancaster, New York 14086	Art Instructor	\$9.00 hr.
Catherine Ehrke 9 Parkdale Drive Lancaster, New York 14086	Tutor	\$9.00 hr.
Heidi Miller 20 Old Schoolhouse Road Lancaster, New York 14086	Production Assistant	\$5.00 hr.
Michael Saar 72 Hutchins Drive Cheektowaga, New York 14227	Drama Director	\$6.00 hr.
Lynn Scott 61 Karen Lane Depew, New York 14043	Choreographer	\$9.00 hr.
Janice Curry 6065 Whitegate Crossing East Amherst, New York 14051	Music Director/ Accompanist	\$14.00 hr.
Mark Skowron 52 Lindan Drive Depew, New York 14043	Tutor Middle School Program	\$15.00 hr.
Deborah Bojanowski 353 Leydecker Road West Seneca, New York 14224	Tutor Middle School Program	\$15.00 hr.
Jill Santoro 16 Lakeside Crescent Lancaster, New York 14086	Tutor Middle School Program	\$15.00 hr.
Donald Oliver 5055 Stewart Road Blasdell, New York 14219	Tutor Middle School Program	\$15.00 hr.

Kim Pogorzelski  
142 Judith Drive  
Cheektowaga, New York 14227

Tutor  
Middle School Program

\$15.00 hr.

John Armstrong  
85 Kingston Place  
Buffalo, New York 14210

Tutor  
Middle School Program

\$15.00 hr.

The question of the adoption of the following resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER KWAK	VOTED	YES
COUNCIL MEMBER MILLER	VOTED	YES
COUNCIL MEMBER MONTOUR	VOTED	YES
COUNCIL MEMBER STEMPIAK	VOTED	YES
SUPERVISOR GIZA	VOTED	YES

June 16, 1997

THE FOLLOWING RESOLUTION WAS OFFERED  
BY SUPERVISOR GIZA, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER MILLER, TO WIT:

**WHEREAS**, Windsor Ridge Partners, 501 John James Audubon Pkwy., has requested the Town Board of the Town of Lancaster to accept work completed under a Street Lighting Public Improvement within Windsor Ridge Subdivision, Phase III, within the Town of Lancaster, and

**WHEREAS**, the Town Engineer has inspected the improvement and has recommended the approval thereof,

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the following completed Street Lighting Public Improvement within Windsor Ridge Subdivision, Phase III, be and is hereby approved and accepted by the Town Board of the Town of Lancaster:

P.I.P. No. 470 - Street Lights

conditioned, however, upon the following:

1. **Receipt by the Town Clerk**, within 60 days, of a bill of sale to the improvements for the property conveyed to the Town of Lancaster.
2. **Receipt by the Town Clerk**, within 60 days, of a maintenance bond for the improvement accepted herein in the principal amount of 25% of the value of the improvement accepted. The bonds shall run for a term of two years commencing with the date of adoption of this resolution, and

**BE IT FURTHER**

**RESOLVED**, that a copy of this resolution be directed by the Town Clerk to the New York State Electric & Gas Corporation with a request to energize the street lights herein, and

**BE IT FURTHER**

**RESOLVED**, that should the conditions enumerated herein not be met within the stated 60 day period, the Building Inspector and the Town Clerk are directed to suspend the acceptance of building permit applications for construction within this subdivision, or subdivision phase, as the case may be.



The question of the adoption of the foregoing resolution was duly put to a vote  
on roll call which resulted as follows:

COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER MILLER	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

June 16, 1997

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCIL MEMBER MONTOUR, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER STEMPIAK, TO WIT:

**WHEREAS**, the Town of Lancaster has heretofore established a joint Social Work/Counselor Program with the Lancaster Central School District and desires to continue this program, and.

**WHEREAS**, the Town Board has received assurance of participation in State funding by the Division for Youth of the State of New York and the Lancaster Central School District,

**NOW, THEREFORE, BE IT**

**RESOLVED**, as follows:

1. That the Town Board of the Town of Lancaster hereby agrees to continue a joint program for a Social Work/Counselor to work in the Town of Lancaster with Lancaster Central School children in response to a demonstrated need for such services in order to reduce juvenile delinquency, enhance educational and social opportunities for youth of the Town of Lancaster and to reduce the impact of drug use, truancy, vandalism and juvenile pregnancy, and otherwise reduce the impact of social pressures upon single-parent youth, for the period commencing July 1, 1997 and ending June 30, 1998, and

2. That funding for the program, at a total annual cost of approximately \$39,613.00 will be provided at 17% of direct salary from the State Division of Youth, 44% of direct salary and contractual expenses, plus one-half contractual expenses and fringe benefit costs, from the Town of Lancaster, to be drawn from the General Fund Account "School Social Work/Counselor Program", and 39% of direct salary plus one-half contractual expenses and fringe benefit costs, from the Lancaster Central School District, and

3. That the Supervisor be and hereby is authorized and directed to sign an Agreement to renew said program, said Agreement to be drawn by the Town Attorney, providing for participation in said program by the Town of Lancaster, the Division for Youth of the State of New York, and the Lancaster Central School District.

The question of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER MILLER	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

June 16, 1997

File: RSTATE.YTH (P5)

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCIL MEMBER MILLER , WHO MOVED  
ITS ADOPTION. SECONDED BY  
COUNCIL MEMBER MONTOUR , TO WIT:

**WHEREAS**, the Erie County Water Authority has recommended that various water mains located along Aurora Street, Glendale and Parkdale and Steinfeldt Road (Phase I) and Transit Road and Genesee Street (Phase II) all located within the Town of Lancaster be replaced and/or their capacities be enlarged, and

**WHEREAS**, Phase I of said project has now been completed and the firm of Hayden/Wegman, Consulting Engineers, have submitted an Agreement to provide engineering services detailed in the proposal for said Water System Improvements under Phase II thereof, for the sum of \$150,490.00, and

**WHEREAS**, the Town Board of the Town of Lancaster deems it advisable to retain a consulting firm to oversee the said improvements in Phase II, and to advise the Town concerning the design and installation of said improvements;

**NOW, THEREFORE, BE IT**

**RESOLVED**, as follows:

1. The firm of Hayden/Wegman, 455 Commerce Drive, Amherst, New York 14228 is retained to provide the engineering services detailed in its Agreement for Phase II of said Water System Improvements for the sum of \$150,490.00; and
2. A copy of said Agreement shall be filed in the Town Clerk's Office.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER MILLER	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

June 16, 1997

File: rwtr2

THE FOLLOWING RESOLUTION WAS OFFERED  
BY SUPERVISOR GIZA, WHO MOVED  
ITS ADOPTION , SECONDED BY  
COUNCIL MEMBER KWAK , TO WIT:

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**RESOLVED**, that the following Audited Claims be and are hereby ordered paid from their  
respective accounts:

Claim No. 14308 to Claim No. 14596 Inclusive

Total amount hereby authorized to be paid: **\$785,448.96**

The question of the foregoing resolution was duly put to a vote on roll call which  
resulted as follows:

COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER MILLER	VOTED YES
COUNCIL MEMBER MONTOR	VOTED YES
COUNCIL MEMBER STAMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

June 16, 1997

File: RCLAIMS

THE FOLLOWING RESOLUTION WAS OFFERED  
 BY COUNCIL MEMBER KWAK , WHO MOVED  
 ITS ADOPTION, SECONDED BY COUNCIL  
 MEMBER MILLER , TO WIT:

**RESOLVED** that the following Building Permit Applications be and are hereby approved and the issuance of these Building Permits be and are hereby authorized:

**CODES:**

(SW) = Sidewalks as required by Chapter 12-1B. of the Code of the Town Lancaster are waived for this permit.

(CSW) = Conditional sidewalk waiver.

**NEW PERMITS:**

No.	Code Applicant	Street Address	Structure
4237	Ellie Kemna	600 Aurora St	Er. Sun Room
4238	Paul Missland	18 Whitestone Ln	Er. Sun Room
4239	Jeffrey Gramza	51 Hidden Trail	Er. Pool
4240	Jerry Kajfasz	10 Signal Dr	Er. Shed
4241	Ken Bartlett	138 Stony Rd	Er. Shed
4242	John McCarthy	25 Cobblestone Ct	Er. Fence
4243	Thomas Rybacki	11 Pine View Ln	Er. Pool
4244	Mary Polanski	26 Parkdale Dr	Ex. Sin. Dwlg
4245	Alliance Homes	1 Quail Run Ln	Er. Sin. Dwlg
4246	Kevin Kennedy	210 Brunck Rd	Er. Garage
4247	Ed Wasikowski	22 Hidden Trail	Er. Patio Roof
4248	Capretto Homes	320 Enchanted Fst N	Er. Sin. Dwlg
4249	Joyce Moffat	5454 William St	Er. Pool
4250	Decks Unlimited Const	53 Rehm Rd	Er. Deck
4251	Ryan Homes	286 Enchanted Fst N	Er. Sin. Dwlg
4252	Majestic Pools Inc	555 Erie St	Er. Fence/Pool
4253	Fischione Const	4978 William St	Dem. Sin. Dwlg
4254	Linda Shepard	47 Michael's Wlk	Er. Fence
4255	Dennis Ast	5 Quail Hollow	Er. Fence
4256	William Anthon	34 Deerpath Dr	Er. Pool
4257	Lisa Akaiah	28 Pinetree Dr	Er. Shed

4258	James Szafranski	570 Harris Hill Rd	Er. Garage
4259	Savannah's Restaurant	4723 Transit Rd	Er. Clam Bar
4260	Mark Solecki	53 Michael's Wlk	Er. Shed
4261	Dan Silvestro	6 Signal Dr	Er. Pool
4262	Michael Baiocco	1 Cobblestone Ct	Er. Shed
4263	Mary Jane Cwiklinski	4891 William St	Er. Shed
4264	Anthony Peck	1 Lucia Ct	Er. Deck
4265	Capretto Enterprises	302 Enchanted Fst N	Er. Sin. Dwlg
4266	ADF Construction Corp	4437 Walden Ave	Er. Mfg/Office Bldg
4267	Michael E Wolfram	58 Woodgate Dr	Er. Deck
4268	Tim Deakin	12 Windsor Ridge	Er. Shed
4269	Barbara Owczarczak	79 Michael's Wlk	Er. Deck
4270	Burke Brothers Const	27 Michael's Wlk	Er. Sin. Dwlg
4271	Douglas Prisinzano	24 Heritage Dr	Ex. Sin. Dwlg
4272	Kent G. Zeisz	1723 Como Park Blvd	Er. Shed
4273	Patricia Hamilton	47 Glendale Dr	Er. Pool
4274	Scott Phillips	145 Brunck Rd	Er. Shed
4275	Dianne Bukowski	43 Rue Madeleine Wa	Er. Shed
4276	Ryan Homes	7 Chapin Cir	Er. Sin. Dwlg
4277	Marrano/Marc Equity	138 Belmont Ave	Er. Sin. Dwlg
4278	Daniel Kochmanski	4982 William St	Er. Garage
4279	Robert Cottle	1080 Townline Rd	Alter Dwlg
4280	Kenneth Wojnowski	2 Westbury Ln	Er. Deck
4281	Marrano/Marc Equity	42 Woodgate Dr	Er. Sin. Dwlg
4282	Another Custom Home	6 Park Wlk	Er. Sin. Dwlg
4283	Another Custom Home	30 Traceway	Er. Sin. Dwlg
4284	Centennial Homes Inc	159 Nathan's Terr	Er. Sin. Dwlg
4285	All Craft Inc	31 Michael's Wlk	Er. Sin. Dwlg

and

**BE IT FURTHER**

**RESOLVED**, that the Building Permit Applications herein coded (CSW) for conditional sidewalk waiver be and are hereby approved with a waiver of the Town Ordinance required for sidewalks, however, the waiver is granted upon the expressed condition that the Town of Lancaster, at any future date, reserves the right to order sidewalk installation at the expense of the property owner.

The question of the adoption of the following resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER MILLER	VOTED YES
COUNCIL MEMBER MONTGOMERY	VOTED YES
COUNCIL MEMBER STERN	VOTED YES
SUPERVISOR GIZA	VOTED YES

June 16, 1997

FILE: RBLDG.2 (P1-2)

Council Member Kwak requested a suspension of the necessary rule for immediate consideration of the following resolution -  
SUSPENSION GRANTED.

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCIL MEMBER KWAK , WHO  
MOVED ITS ADOPTION. SECONDED BY  
COUNCIL MEMBER MONTOUR , TO WIT:

**WHEREAS**, the Department Crew Chief, by letter dated June 11, 1997, has requested the following appointment as a seasonal employee in the Parks and Recreation Department of the Town of Lancaster for the summer season of 1997,

**NOW THEREFORE, BE IT**

**RESOLVED**, that the following individual be and is hereby appointed to position of seasonal employee for the summer of 1997 in the Parks and Recreation Department of the Town of Lancaster at the following hourly rate as specified:

<u>NAME</u>	<u>POSITION</u>	<u>RATE</u>
J. Ryan Fecher (new hire) 78 Impala Parkway Lancaster, New York 14086	Lifeguard	\$5.25 hrly.

and,

**BE IT FURTHER**

**RESOLVED**, that the Supervisor of the Town of Lancaster take the necessary action with Personnel Officer of the County of Erie to accomplish the foregoing.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER KWAK	VOTED	YES
COUNCIL MEMBER MILLER	VOTED	YES
COUNCIL MEMBER MONTOUR	VOTED	YES
COUNCIL MEMBER STEMPNIAK	VOTED	YES
SUPERVISOR GIZA	VOTED	YES

June 16, 1997



COMMUNICATIONS:

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- 407. Town Clerk to Supervisor -  
Monthly report for May 1997. DISPOSITION: Received & Filed
- 408. Arthur J. Giacalone, Attorney for Northwest Lancaster Homeowners Association, to Town Board -  
Request denial, on behalf of clients, of AHEPA #91 site plan. DISPOSITION: Received & Filed
- 409. Building Inspector to Town Clerk -  
Notice of approval of issuance of Game Room License to Lancaster Lanes.  
DISPOSITION: Received & Filed
- 410. Police Chief to Town Board -  
Advisement of steps taken in response to Communication No. 373 re: Aurora and William Sts - left turn phasing, and Lake @ William - flashing signal. DISPOSITION: Public Safety
- 411. Independent Health to Dir. of Adm. and Finance -  
Notification of adjustments on overall premiums effective 7/1/97. DISPOSITION: Received & Filed
- 412. Cost Control Associates to Supervisor -  
Proposal for provision of energy and telecommunication accounting services.  
DISPOSITION: Received & Filed
- 413. Adelphia to Supervisor -  
Notification of plans to adjust rates effective with 8/97 billing statement. DISPOSITION: Cable TV Committee
- 414. Dormitory Authority of the State of New York to Supervisor -  
Transmittal of executed copy of lease for Buffalo Psychiatric Center - 525 Pavement Road. DISPOSITION: Town Attorney
- 415. Receiver of Taxes to Town Board -  
Transmittal of four settlement payment re: 1997 County/Town Tax Warrant.  
DISPOSITION: Received & Filed
- 416. Planning Board to Town Board -  
Minutes from meeting held 6/4/97. DISPOSITION: Received & Filed
- 417. Planning Board to Town Board -  
Recommend approval, with condition, of Schmitt's Garage site plan. DISPOSITION: Received & Filed
- 418. Town Engineer/Building Inspector to Town Board -  
Recommend approval, with conditions, of Edward Kozlowski dumping permit.  
DISPOSITION: Received & Filed
- 419. Gerry Hanford, 434 Schwartz Rd., to Town Board -  
History of action re: clogged pipe at road. DISPOSITION: Town Engineer
- 420. Twin District Vol Fire Co. To Town Clerk -  
Addition of new members to active roster. DISPOSITION: Received & Filed
- 421. Police Chief to Planning Board Chairman -  
Approval of site plan for Basil Chevrolet. DISPOSITION: Received & Filed
- 422. Police Chief to Planning Board Chairman -  
Approval of site plan for Hollywood Video Store-Transit/Rehm Plaza location.  
DISPOSITION: Received & Filed
- 423. Exec. Dir. of Youth Bureau to Supervisor -  
Recommendation of individuals for various positions in the Youth Bureau.  
DISPOSITION: Received & Filed
- 424. Town Engineer to Town Board -  
Recommends acceptance of P.I.P. 470 Street Lighting in Windsor Ridge, Phase III.  
DISPOSITION: Received & Filed
- 425. Town Clerk to Various New Media -  
Notice of SEQR review meeting for Monday, June 16, 1997. DISPOSITION: Received & Filed

426. WSA Associates to Supervisor -  
Proposal to provide engineering and land surveying services. DISPOSITION: Received & Filed
427. Planning Board to Town Board -  
Agenda for meeting of 6/18/97. DISPOSITION: Received & Filed
428. Cheryl J. Trzecki, 26 Petersbrook Cir., to Supervisor -  
Request investigation into the installation of "No Parking" signs installed on **both** sides of Petersbrook Cir. DISPOSITIO: Received & Filed
429. Am-Pol Eagle -  
Article and picture dated 6/5/97 re: Dare Program. DISPOSITION Received & Filed
430. Mayor Masiello to Supervisor -  
Invitation to participate in forums to develop stronger relationships between cities and towns. DISPOSITION: Received & Filed
431. USDA to Supervisor -  
Comments re: request for proposals - USDA Farmland Protection Program.  
DISPOSITION: Received & Filed
432. County Dept. of Health to Town Board -  
Transmittal of "Approval of Plans for Public Water Supply Improvement" for Lancaster Industrial Commerce Center. DISPOSITION: Town Engineer
433. Bella Vista Group, Inc., 6495 Transit Rd., to Supervisor -  
Information addressing concerns of resident of erosion in rear yard. DISPOSITION: Received & Filed
434. NYS Thruway Authority to Supervisor -  
Transmittal of status report re: Eastern Buffalo Area Interchange Evaluation Study.  
DISPOSITION: Received & Filed
435. Niagara Frontier Builders' Assoc. To Supervisor -  
Submittal of pertinent information re: Horizons '97 event. DISPOSITION: Received & Filed
436. WNY Devel. Disabilities Services Office to Residents -  
Notice of informational meeting to be held 6/17/97 at Opera House re: proposed community residence at 81 Steinfeldt Rd. DISPOSITION: Received & Filed
437. William MacPeck to Town Board -  
Request meeting between fire departments, Town Board members, and Dir. Of Administration and Finance on 6/26/97 at Town Hall to discuss agreement.  
DISPOSITION: Public Safety

**ADJOURNMENT:**

ON MOTION OF COUNCIL MEMBER MILLER AND SECONDED BY THE ENTIRE TOWN BOARD AND CARRIED, the meeting was adjourned at 11:45 P.M.

  
Robert P. Thill, Town Clerk